

[DISCUSSION DRAFT]

12 FEBRUARY 2016

114TH CONGRESS
2ND SESSION

H. R. _____

To amend the Controlled Substances Act to prevent Federal prosecutions for certain conduct, relating to CBD oil, that is lawful under State law, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. CHAFFETZ introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Controlled Substances Act to prevent Federal prosecutions for certain conduct, relating to CBD oil, that is lawful under State law, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “CBD Oil Act of 2016”.

1 **SEC. 2. EXEMPTION FROM CERTAIN CRIMINAL PENALTIES**
2 **OF CONDUCT RELATING TO CBD OIL.**

3 (a) IN GENERAL.—Part D of the Controlled Sub-
4 stances Act (21 U.S.C. 801 et seq.) is amended by adding
5 at the end the following:

6 “BAR TO PROSECUTION OF CERTAIN CONDUCT, RELATING
7 TO CBD OIL, THAT IS LAWFUL UNDER STATE LAW

8 “SEC. 424. (a) It is a bar to prosecution under this
9 title that the conduct alleged to constitute the offense—

10 “(1) consists of or is incident to qualified activ-
11 ity relating to CBD oil; and

12 “(2) is lawful under State law in the place it
13 occurs.

14 “(b) In this section the following definitions apply:

15 “(1) The term ‘qualified activity relating to
16 CBD oil’ means—

17 “(A) the production or distribution of
18 CBD oil for medical research; or

19 “(B) the use of CBD oil for medical pur-
20 poses.

21 “(2) The term ‘CBD oil’ means a substance,
22 not containing any other psychoactive substance,
23 that is an extract from a cannabis plant composed
24 of tetrahydrocannabinol and cannabidiol in a propor-
25 tion that is considered non-psychoactive under appli-
26 cable State law.”.

1 (b) CLERICAL AMENDMENT.—The table of contents
2 for the Comprehensive Drug Abuse Prevention and Con-
3 trol Act of 1970 is amended by inserting after the item
4 relating to section 423 the following new item:

“Sec. 424. Bar to prosecution of certain conduct, relating to CBD oil, that is
lawful under State law.”.